

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHRISTOPHER H. BLANK,

Petitioner,

v.

STEPHEN M. D'ILIO,

Respondent.

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Civ. No. 15-3596 (NLH)

MEMORANDUM ORDER

APPEARANCES:

Christopher H. Blank, #599537/987398B
New Jersey State Prison
P.O. Box 861
Trenton, New Jersey 08625
Petitioner Pro se

Rocco C. Cipparone , Jr.
Law Office Of Rocco C. Cipparone, Jr.
203-205 Black Horse Pike
Haddon Heights, NJ 08035
Counsel for Petitioner

Mario C. Formica
Atlantic County Prosecutor's Office
4997 Unami Boulevard
Mays Landing, NJ 08201
Counsel for Respondent

HILLMAN, District Judge

Petitioner Christopher H. Blank ("Petitioner"), a prisoner currently confined at New Jersey State Prison in Trenton, New Jersey, has submitted a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. (ECF No. 1.)

IT APPEARING THAT:

1. On June 18, 2015, this Court entered an Order requiring Respondent to file an answer to the Petition in this matter.

(ECF No. 2.)

2. On July 20, 2015, Respondent filed his Answer. (ECF No. 4.) Upon review of that Answer, the Court determined that Respondent had failed to address Petitioner's argument that two of the jurors had direct connections to the State's witnesses and therefore ordered a supplemental answer. (ECF No. 9.)

Respondent filed their Supplemental Answer on May 11, 2016.

(ECF No. 10.)

3. The Court thereafter appointed counsel for Petitioner for the limited purpose of submitting a reply to the State's Supplemental Answer, which counsel did on July 14, 2016. (ECF No. 17.)

4. On September 15, 2016, the Court received several pro se filings from Petitioner, including a Supplemental Reply and a Motion to Expand the Record. (ECF Nos. 18-20.) In his cover letter, Petitioner states that he was not aware that counsel had been appointed. (ECF No. 19.) Upon learning that counsel had been appointed and had submitted a Supplemental Reply on his behalf, Petitioner nevertheless decided to also submit the documents he had prepared. (Id.) Petitioner requests that the

Court consider his submissions as though they were attached to his appointed attorney's Supplemental Reply. (Id.)

5. The Court will deny Petitioner's request and motion to expand the record at this time. The Court appointed counsel for the express purpose of filing of supplemental reply to streamline this matter and ensure that the parties' positions were concisely and completely presented for this Court's consideration. However, to ensure that any and all relevant and appropriate arguments are presented, the Court will grant Petitioner 30 days to consult with his attorney and, should counsel deem appropriate, counsel may file an amended supplemental reply.

For the foregoing reasons,

IT IS on this 13th day of April, 2017,

ORDERED that Petitioner's request to consider his pro se submissions and his Motion to Expand the Record (ECF No. 20) are DENIED without prejudice; Petitioner is advised to consult with his attorney regarding his issues; within 30 days of the date of this Order, counsel may submit an amended supplemental reply; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Petitioner via regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN
United States District Judge